



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,867	12/19/2001	Mikko Siikaniemi	324-010670-US(PAR)	1044

2512 7590 05/02/2007
PERMAN & GREEN
425 POST ROAD
FAIRFIELD, CT 06824

EXAMINER

TRUONG, LAN DAI T

ART UNIT	PAPER NUMBER
----------	--------------

2152

MAIL DATE	DELIVERY MODE
-----------	---------------

05/02/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/027,867

Applicant(s)

SIIKANIEMI, MIKKO

Examiner

Lan-Dai Thi Truong

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 02/13/2007 has been entered.

2. This action is response to communications: application, filed on 12/19/2001; amendment filed 02/13/2007. Claims 1-12 are pending; claims 1, 7, 12 are amended.

3. The applicant's arguments file on 02/13/2007 have fully considered but they are moot in view with new ground for rejections

Claim rejections-35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 5-9 and 11-12 are rejected under 35 U.S.C 103(a) as being un-patentable over Horton et al. (U.S. 5,241,587) in view of Olafsson et al. (U.S. 6,912,276)

Regarding claims 1, 5, 7 and 12:

Horton discloses a method, which can be implemented in a computer hardware or software code for arranging data transmission in a packet radio system comprising at least one mobile termination part, a terminal equipment part functionally connected thereto, and a packet radio network comprising:

Activating a first packet data protocol context between said packet radio network and mobile termination part for reception and transmission of packet-switched data; activating a second packet data protocol context between the packet radio network and the mobile termination part for a dial-up connection by a link between the terminal equipment part and the mobile terminal part or the terminal equipment part and the packet radio network; releasing said first context in response to said second context being activated, in order to minimize processor and memory loading and avoid expense: (Horton discloses an active “modem connection” which shares functionality with “first packet data protocol context” as claimed released in response to activating of “phone ring connection” which shares functionality with “second packet data protocol context for dial-up connection” as claimed: column 5, lines 1-6; column 6, lines 15-17; figure 5; abstract)

However, Horton does not explicitly disclose steps of releasing the dial-up connection, releasing said second context in response to the dial-up connection being released; activating a third packet data protocol context, substantially conforming to said first context, in response to said second context being deactivated

In analogous art, Olafsson discloses method for establishing communication session between local modem and remote modem; wherein the local modem detects dial-tone connection

Art Unit: 2152

request from a telephone device, local modem releases communication connection session with remote modem responsive to receiving dial-tone connection request from the telephone device; and then the relinquished communication session between the local modem and the remote modem is reestablishing responsive to the dial-ton connection releasing: column 1, lines 22-43; column 2, lines 1-64; column 3, lines 60-63; column 4, 65-67; column 5, lines 1-4; column 4 lines 35-60; column 7, lines 13-36)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Olafsson's ideas of reestablishing the relinquished communication session between the local modem and the remote modem with Horton's system in order to improve efficiencies for telecommunication network: (Olafsson: column 4, lines 1-34)

Regarding claims 2 and 8:

In addition to rejection in claims 1 and 7, Horton- Olafsson further discloses first default parameters stored in advance in the mobile termination part, and said third context is activated in accordance with the same default parameters: (Olafsson discloses the relinquished "communication session between the local modem and the remote modem" which shares functionality with either first context and third context as claimed is reestablishing: column 2, lines 1-64; column 3, lines 60-63)

Regarding to claims 3 and 9:

In addition to rejection in claims 1 and 7, Horton- Olafsson further discloses terminal equipment part and the mobile terminal part: (Olafson discloses "modem" which shares functionality with "terminal equipment part," "telephone device" which shares functionality with "mobile terminal part": figure 1, items 1, 11, 31)

Regarding to claims 6 and 11:

In addition to rejection in claims 1 and 7, Horton- Olafsson further discloses the packet radio system: (Olafson's system can employ in radio communication link such as ISDN, ADSL or DSL: column 6, lines 30-34)

Claims 4, 10 are rejected under 35 U.S.C 103(a) as being un-patentable over Horton-Olafsson in view of Forslow (U.S. 2003/0039237)

Regarding to claims 4 and 10:

Horton- Olafsson discloses the invention substantially as disclosed in claims 1 and 7, but does not explicitly teach wherein the terminal equipment part and a packet network gateway support node (GGSN) support a PPP protocol (Point to Point Protocol), whereby said second context is activated for setting up a dial-up connection between the mobile termination part and the GGSN, a PPP link is set up between the terminal equipment part and the GGSN, and data associated with an application comprised by the terminal equipment part is transmitted by means of the PPP link and said second context

However, Forslow discloses IP/PPP protocol supports the communication between mobile station and the SCSN such as dial-up connection, see (Forslow: page 7, left column, lines 10-33)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Forslow's ideas of using IP/PPP protocol to supports the communication between mobile station and the SCSN with Horton- Olafsson's system in order to enable to establish dial-up connection, see (Forslow: page 7, left column, lines 10-33)

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents and publications are cited to further show the state of the art with respect to "Providing a dial-up connection in a packet radio system": 5974084; 6208718; 5519767; 6785371; 5826198; 20020064272 [0039]; 4076961; 5802304; 6725290; 3867581; 5103474;

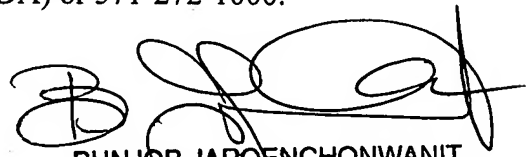
Conclusions

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lan-Dai Thi Truong whose telephone number is 571-272-7959. The examiner can normally be reached on Monday- Friday from 8:30am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob A. Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

04/28/2007


BUNJOB JAROENCHONWANIT
SUPERVISORY PATENT EXAMINER